

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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2006 SEP -8 P 4: 26

PETER A. HACKETT, CLK
U.S. DISTRICT COURT
THE MIDDLE DISTRICT ALA.

ADWOWA JACOBS, §

Plaintiff, §

V. §

CIVIL ACTION NO.

ELECTRONIC DATA SYSTEMS §

CORPORATION AND JEFF §

WILLIAMS, §

Defendants.

2:05-CV-925-MHT-SRW

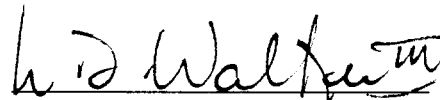
PLAINTIFF'S RESPONSE TO DEFENDANTS'
JOINT MOTION TO DISMISS WITH PREJUDICE

COMES NOW the Plaintiff, Adwowa Jacobs, and requests that this Honorable Court deny Defendants' Joint Motion To Dismiss With Prejudice and for cause, states the following:

Plaintiff acknowledges that all dates relative to Defendants' Motion are correct. Plaintiff would ask this Honorable Court to consider that Plaintiff's Attorney lost two members of his staff in the second week of July, 2006. Plaintiff's signed (Dated July 12) Responses and Production were scheduled to be posted on the aforementioned date. Due to some clerical mistake, these items were in fact, not posted. While this in and of itself is no excuse, it does lend itself to excusable behavior.

Please allow Plaintiff's attorney to extend his most sincere apologies to both this Honorable Court as well as Defendants' attorneys. Said Discovery has been posted.

RESPECTFULLY Submitted this the 8th Day of Sept, 2006


L. D. WALKER, III (WAL143)
Attorney For Plaintiff

OF COUNSEL:

L. D. WALKER, III
8650 Minnie Brown Road; Suite 160
Montgomery, Alabama 36117
Phone: (334)215-4513
Telecopier: (334)215-4532

CERTIFICATE OF SERVICE

I certify that I have served a copy of the above and foregoing document upon the following parties, by United States mail, postage prepaid, and properly addressed on this the 24th day of Sept, 2006.

Baker & Hostetler, LLP
Attn: Tonya A. Jacobs; Rachel M. Smith
1000 Louisiana; Suite 2000
Houston, Texas 77002-5009

Burr & Forman, LLP
Attn: Ashley Hattaway
Wachovia Tower
420 North Twentieth Street; Suite 3100
Birmingham, Alabama 35203

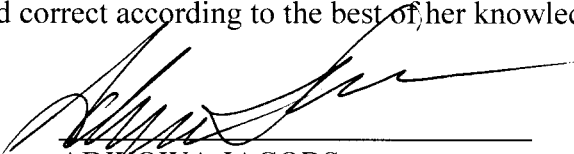
Melton, Espy & Williams, PC
James E. Williams
Post Office Drawer
Montgomery, Alabama 36103-5130


OF COUNSEL

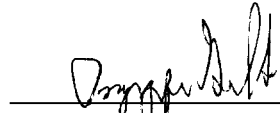
STATE OF ALABAMA

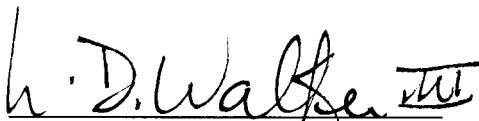
COUNTY OF MONTGOMERY

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and state, Adwowa Jacobs, and says that the contents of the above instrument have been read by her in full, and that the same are true and correct according to the best of her knowledge, information, and belief.


ADWOWA JACOBS
Petitioner

SWORN AND SUBSCRIBED before me on this the 12 Day of July,
2006.


NOTARY PUBLIC
My Commission Expires: 12/9/08


L. D. WALKER, III (WAL143)
Attorney for Petitioner

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